

REMARKS

A. Background

The present amendment is filed in response to the Examiner's Office Action mailed February 10, 2006. Claims 1-25 were pending. Claims 1, 4, 8, 11, and 13 are amended, and new claim 26 is added. Claims 1-26 are now pending in view of the above amendments.

Reconsideration is respectfully requested in view of the above amendments and following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

B. Rejections Under 35 U.S.C. § 112

The Office Action rejects claims 4-6 and 8-12 under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In response, Applicant has amended claims 4 and 8 to clarify the relation of the first and second surface features with respect to the first and second structural components/column portions. So amended, claims 4-6 and 8-12 are believed by the Applicant to

be allowable. Applicant therefore solicits removal of the rejection to these claims under Section 112.

C. Rejections Under 35 U.S.C. § 102

The Office Action rejects claims 1-6 and 13-17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,760,682 to King (“*King*”). However, *King* – assuming *arguendo* that it qualifies as a reference under Section 102 – fails to teach each and every element of the pending claims and thus fails to anticipate the present claimed invention under Section 102.

Specifically, Applicant submits that the claimed invention is substantially different from the device taught by *King*. In particular, amended independent claim 1 requires, in a multi-portion structural component system, the presence of a first structural portion, a second structural portion that defines an interface with the first structural portion, means for intermeshing the first structural portion with the second structural portion in a unique arrangement, and “a separator sheet, the separator sheet configured to be temporarily interposed between the first and second structural portions during intermeshing of the first structural portion with the second structural portion.”

King discloses no such system. Indeed, the interfitting beams 12 shown in *King* neither teach nor disclose a separator sheet, temporary or not, that is interposed between the outer and inner channels 24 and 30 of the beam. Instead, the beam of *King* simply utilizes a resilient interfitting configuration between its outer and inner channels, together with an adhesive. Use of any separator here simply would have no purpose. Consequently, *King* fails to teach or suggest each and every element of claim 1, and thus cannot be used to anticipate the present invention. Further inasmuch as claims 2-7 are dependent on independent claim 1, they are also allowable for at least the reasons given above. Applicant therefore respectfully submits that each of the

above claims is patentably distinct and requests that the Section 102 rejection in view of *King* be withdrawn.

With respect to the rejection of independent claim 13, Applicant suggests that this claim is also patentably distinct from *King*. In particular, independent claim 13 discloses a method for configuring a first and second portion of a structural component for assembly. The method comprises “*randomly* defining a first plurality of surface features on the second portion of the structural component,” and “defining a second plurality of surface features on the first portion *that inversely match the first surface features* such that the first surface features at least approximately intermesh with the second surface features” when the portions are mated.

Similar to the above discussion, *King* also fails to teach all the limitations of amended claim 13. Indeed, the purported surface features of the outer and inner channels 24 and 30 of *King* that are used to interfit these components together, *i.e.*, the interfitting ribs 29 and grooves 38/32 (*see King*, Fig. 3), are not randomly defined, but rather are planned, designed, and expressly formed in the outer and inner channels, respectively, as set forth in column three, lines 20-47 of *King*. Further, the adhesive that is applied between the outer and inner channels of the beam 12 of *King* forms a homogenous mass, and is incapable, as shown and described in *King*, of producing distinct first and second pluralities of inversely matching surface features defined on separate components.

In reality, the beam system of *King*, bears little resemblance in design and configuration from a component made according to the method required in independent claim 13. Thus, for its failure to teach or suggest each of the elements of claim 13, *King* fails to anticipate this claim. Thus, claim 13 and its dependent claims 14-19 are allowable, and the Section 102 rejection in view of *King* should be withdrawn.

The Office Action also rejects claims 1 and 7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,192,646 B1 to Grewe *et al.* (“*Grewe*”). As was the case with the *King* reference discussed above, *Grewe* also fails to teach each and every element of the pending claims, thereby failing to serve as an anticipatory reference.

In particular, and as has been described above, independent claim 1 discloses a multi-portion structural component system requiring a separator sheet temporarily interposed between first and second structural portions during intermeshing. The structural system of *Grewe* includes no such temporary sheet, but rather permanent components, such as clip members 70 (Fig. 6) and frame members 30 (Fig. 4) as part of its structural system. Further, no sheet is shown or described in the structural system of *Grewe*. Thus, for its failure to teach or suggest the temporary separator sheet required by claim 1, *Grewe* fails to anticipate this claim. As such, independent claim 1 and its corresponding dependent claims are allowable, and the Section 102 rejection in view of *Grewe* should be withdrawn.

Claim 8 is rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. US-2001/0012056 A1 to Gifford (“*Gifford*”). Because, however, of its failure to teach or suggest each and every element of the rejected claim, *Gifford* cannot be used to anticipate the present invention.

In particular, the claimed invention is substantially distinct from the device taught by *Gifford*. Specifically, independent claim 8 requires, in a multi-portion column assembly, a first column portion and a second column portion the second column portion “including a first *plurality* of surface features,” and the first column portion including a flange and a keying material positioned on the flange that includes a second *plurality* of surface features” that cooperatively intermeshes with the first plurality of surface features when the column portions

are mated. *Gifford* teaches no such column assembly. Rather, *Gifford*'s system uses only a *single* bulbous lip protrusion 24 and a *single* receiving bulbous protrusion 36 at its interface to couple cover members 10 and 10a together. (see, e.g., *Gifford*, ¶ 23 ("lip 12 also includes a bulbous lip protrusion 24"); ¶ 24 ("a receiving bulbous protrusion 36 is located on interleg 32")).

The use of single, not plural, protrusions in *Gifford* is apparently a product of its process for producing the decorative cover members 10 and 10a, which are "manufactured by an extrusion process," *Gifford* ¶ 22. Such an extrusion process would likely make it impossible for the design of *Gifford* disclosed in Figures 5 and 6 to produce a plurality of such protrusions shown therein, as extrusion produces a continuous cross section along the length of the extruded component.

Consequently, and in light of the above discussion, *Gifford* fails to teach or suggest each and every element of independent claim 8 and thus cannot be used to anticipate the present invention. Further, inasmuch as claims 9-12 are dependent on independent claim 8, they are also allowable for at least the reasons given above. Applicant therefore submits that each of the above claims is patentably distinct and requests that the Section 102 rejection in view of *Gifford* be withdrawn.

D. Allowable Subject Matter

The Office Action notes that claims 9-12 may possibly be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, ¶ 2, and to include all of the limitations of the base claim and any intervening claims. The Office Action further notes that the final determination of allowance of these claims will be made after the claims have been amended. Applicant notes that independent claim 8, upon which claims 9-12 depend, has been amended to

overcome any rejections under Section 112. As such, and in accordance with the above discussion of the rejection to independent claim 8, Applicant believes claims 8-12 are allowable as currently pending. Applicant therefore respectfully solicits such allowance.

Claims 18 and 19 are objected to in the Office Action as being dependent on a rejected base claim, but would be allowable in independent form including all of the limitations and any intervening claim limitations. However, Applicant has chosen to maintain claims 18 and 19 as depending from independent claim 13, which claim Applicant submits is allowable for at least the reasons given above. Applicant nonetheless appreciates the Examiner's indication of allowable subject matter in these claims.

Applicant also wishes to thank the Examiner for allowance of claims 20-25.

E. New Claims

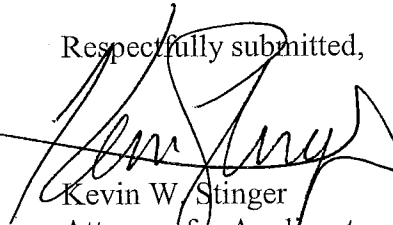
Applicant has added new claim 26, depending from independent claim 1. In light of Applicant's arguments for allowability of independent claim 1, Applicant respectfully submits that dependent claim 26 also is allowable for at least the same reasons. Allowance of new dependent claim 26 is therefore respectfully solicited.

CONCLUSION

In view of the discussion and amendments submitted herein, Applicant respectfully submits that each of the pending claims 1-26 is now in condition for allowance and that all objections to the application have been resolved. Therefore, reconsideration of the rejections and objections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that can be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 10th day of August, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kevin W. Stinger', is written over the typed name and title.

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